

1423 - ANTI-HARASSMENT

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment which is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring at school, on school property, in a District vehicle, or at any District-related activity or event.

The District prohibits discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information that are protected by federal or state civil rights laws, and encourages those within the School District community, as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The District will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, will take appropriate action reasonably calculated to stop the harassment and prevent further such harassment. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

The following actions also violate this policy and are prohibited:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.

Definitions

"School District community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (*e.g.*, visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

Policy 1423 – Anti-Harassment

"Harassment" means any threatening, insulting, bullying or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a member of the School District community or a third party that:

- A. places the person in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

"Harassment" may include, but is not necessarily limited to, the following:

Sexual Harassment: See Policy 1424.

Illegal Harassment of a Non-Sexual Nature

The District also prohibits unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's 1) race or color, 2) religion or creed, 3) national origin or ancestry, or 4) disability, when the conduct has the purpose or effect of interfering with the individual's work or educational performance, of creating an intimidating, hostile, or offensive working, and/or learning environment, or of interfering with the individual's ability to participate in or benefit from a class or an educational program or activity.

Reports and Complaints of Harassing Conduct

The Superintendent shall designate not less than two (2) compliance officers who are responsible for coordinating the District's compliance with applicable federal and state laws and regulations, and for investigating reports of harassment. Members of the School District community and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official, or directly to the District's compliance officers. Any administrator, supervisor, or other District official who receives such a complaint shall file it with the compliance officers promptly.

Sanctions and Monitoring

Where a claim of unlawful harassment is substantiated, the District shall promptly take appropriate action reasonably calculated to stop the harassment and prevent further such harassment. A violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. In those cases where unlawful harassment is not substantiated, the Superintendent may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

Pursuant to Michigan’s Child Protection Law, MCL § 722.621, *et seq.*, certain GPPSS employees who have reasonable cause to suspect child abuse or neglect, as defined in the Law, are obligated to report that suspicion as specified in the Law. If, during the course of a harassment investigation initiated by a student, the compliance officer has reasonable cause to suspect that the alleged conduct may constitute child abuse or neglect, the compliance officer shall report such suspicion in accordance with the Law.

A report made to a county children's services agency or to local law enforcement shall not terminate the compliance officer’s obligation and responsibility to continue to investigate a complaint of harassment. While the compliance officer may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

The Superintendent shall develop and implement administrative guidelines to enforce this policy.